

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

CONGRATULATORY RESOLUTIONS

H.C.R. 10 - (Tejeda, Krier, Zaffirini): Honoring Theo Wickersham of Universal City for her involvement in community affairs and her lifelong participation in national, state, and local politics.

S.R. 7 - By Glasgow: Extending congratulations to Bessie T. Martin of Stephenville on her 90th birthday.

S.R. 8 - By Barrientos: Recognizing the Work Force Diversity Department of Motorola's Personnel Office and the Hispanic Women's Network of Texas, Austin Chapter, for cosponsoring a special celebration to observe Cinco de Mayo.

S.R. 9 - By Truan: Commending the Port Aransas Independent School District for its involvement in "Oceans Week."

S.R. 11 - By Ellis: Honoring the Martin Luther King, Jr., Community Center of Houston on the occasion of its 22nd anniversary and commending all those associated with the center for their hard work.

RECESS

On motion of Senator Brooks, the Senate at 10:56 a.m. took recess until 3:00 p.m. Monday, April 9, 1990.

SECOND DAY

(Continued)

(Monday, April 9, 1990)

AFTER RECESS

The Senate met at 3:00 p.m. and was called to order by Senator Brooks.

MESSAGE FROM THE HOUSE

House Chamber
April 9, 1990

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 25, Honoring Representative Jerry Beauchamp on his birthday.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORTS OF STANDING COMMITTEES

By unanimous consent, Senator Brooks submitted the following report for the Committee on Health and Human Services:

S.B. 6

By unanimous consent, Senator Edwards submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the attached appointments, have had same under consideration, and report them back to the Senate for final consideration.

To be Members of the TEXAS BOARD OF AVIATION: William M. Knowles, Jr., Anderson County; Oliver Kendall Kelley, Randall County; Charles D. Nash, Sr., Travis County; Mrs. Stephanie Randolph Roberts, Smith County; Elton Rust, Kendall County.

To be a Member of the BOARD OF TRUSTEES, TEXAS GROWTH FUND: Shelby H. Carter, Jr., Travis County.

To be Members of the TEXAS NATIONAL RESEARCH LABORATORY COMMISSION: Kenneth Allen McCrady, Ellis County; Morton H. Meyerson, Dallas County.

To be a Member of the TEXAS PUBLIC FINANCE AUTHORITY: E. Peter Pincoffs, Travis County.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.C.R. 6 by Krier Jurisprudence
Granting Kunz Construction Company, Inc., permission to sue the State of Texas and The University of Texas System.

S.B. 50 by Ratliff Natural Resources
Relating to the possession of certain fishing devices in or on certain public waters.

S.B. 51 by Caperton Finance
Relating to the clarification of the application of the nepotism law to appraisal districts.

S.B. 52 by Armbrister Natural Resources
Relating to the authority of navigation districts.

S.B. 53 by Glasgow Jurisprudence
Relating to filing fees, other fees, and costs for certain types of lawsuits; making an appropriation to the attorney general.

S.B. 54 by Uribe State Affairs
Relating to the establishment and operation of a state lottery; providing penalties and making an appropriation.

S.B. 55 by Montford State Affairs
Relating to the Department of Information Resources.

S.B. 56 by Green Education
Relating to license requirements for certain driver-training instructors.

S.B. 57 by Brooks Education
Relating to the determination of school district taxable values for the purpose of public school finance.

S.B. 58 by Bivins Natural Resources
Relating to property rights in, and the establishment of a wildlife management area along and in the vicinity of, the Canadian River bed; making an appropriation.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
April 9, 1990

TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE,
FOURTH CALLED SESSION:

On April 2, 1990, I nominated Ms. Barbra Gigout of Dayton, Liberty County, for appointment to the COASTAL WATER AUTHORITY for a term to expire April 1, 1992.

I request that the Senate return this appointment to me.

Respectfully submitted,
/s/W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
April 9, 1990

TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE,
FOURTH CALLED SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE BRANCH PILOTS FOR THE GALVESTON BAR AND THE HOUSTON SHIP CHANNEL, for a term from March 16, 1990, through March 15, 1994:

CAPTAIN RICHARD D. MOORE
521 Shady Brook Drive
P. O. Box 1098
Stafford, Texas 77477

Captain Moore was found to be qualified as Pilot by the Port of Houston Pilot Commission.

For a term from February 9, 1990, through February 9, 1994:

DAVID A. SMITH
15719 Fathom
Houston, Texas 77062

Captain Smith is being reappointed.

HAROLD L. LYDICK

16112 Seahorse

Houston, Texas 77062

Captain Lydick is being reappointed.

RICHARD C. SCHULTHEIS

3010 Sea Pines Place

League City, Texas 77573

Captain Schultheis is being reappointed.

TO BE BRANCH PILOTS FOR THE PORTS OF THE BRAZOS RIVER
HARBOR NAVIGATION DISTRICT, for a term from February 10, 1990, through
February 10, 1994:

CAPTAIN KENNETH A. GONZALES

P. O. Box 1024

830 West 8th

Freeport, Texas 77541

Captain Gonzales is being reappointed.

CAPTAIN ALVIN A. MILLER

Route 3, Box 418-AA

Angleton, Texas 77515

Captain Miller is being reappointed.

CAPTAIN JOHN W. BURNS

1853 West 8th

Freeport, Texas 77541

Captain Burns is being reappointed.

TO BE BRANCH PILOT FOR THE BRAZOS SANTIAGO PASS, BAR AND
TRIBUTARIES, for a term from December 1, 1989, through November 30, 1993:

CAPTAIN NEWTON R. PROHASKA

Route 3, Box 7

Bayview, Texas 78566

Captain Prohaska is being reappointed.

TO BE DEPUTY BRANCH PILOT FOR THE GALVESTON BAR AND THE
HOUSTON SHIP CHANNEL, for a term from February 21, 1990, through
February 20, 1994:

CAPTAIN RICHARD H. FISHER

304 Moody

League City, Texas 77573

Captain Fisher was found to be qualified as Deputy Pilot by the Port Commission
of the Port of Houston Authority.

Respectfully submitted,

/s/W. P. Clements, Jr.

William P. Clements, Jr.

Governor of Texas

MESSAGE FROM SUPREME COURT

The following message from the Supreme Court was read and was referred to
the Committee on Nominations:

THE SUPREME COURT OF TEXAS

Austin, Texas
April 5, 1990

To the Senate of the Seventy-First Texas Legislature:

The Supreme Court of Texas has made the following appointment which requires the advice and consent of the Senate:

To the Board of Directors of the State Bar of Texas (from among five persons who are non-attorneys, nominated by the Governor of Texas. [Texas Government Code Sec. 81.020(b)(4).]):

Mr. Eduardo Aguirre of Houston, for the unexpired term of Mr. Jack Hammond, who has resigned. This term expires in 1992.

The advice, consent and confirmation of the Senate is requested.

Sincerely,

/s/Thomas R. Phillips
Thomas R. Phillips
Chief Justice

CAPITOL PHYSICIAN

Senator Parker was recognized and presented Dr. Raymond Benski of Nederland as the "Doctor for the Day."

The Senate welcomed Dr. Benski and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

MEMORIAL RESOLUTIONS

S.R. 15 - By Montford: In memory of Dr. O. W. "Babe" English of Lubbock.

S.R. 16 - By Montford: In memory of Judge Robert H. Bean.

S.R. 17 - By Montford: In memory of W. R. Sewell of Slaton.

CONGRATULATORY RESOLUTIONS

S.C.R. 5 - By Parker: Commending the Battlin' Bears, the Little Cypress-Mauriceville High School band.

S.C.R. 7 - By Barrientos: Declaring April 12 of each year as Texas Space Day.

S.R. 12 - By Montford: Commending Javier Alvarez for winning the 1990 United States Amateur Boxing Heavyweight Championship.

S.R. 13 - By Ratliff: Extending congratulations to the Crover family of Mount Pleasant for receiving the much-deserved "Family of the Year" Award for the State of Texas.

S.R. 14 - By Parker: Commending the Port Arthur Lincoln Bumblebees on another superlative season of play.

S.R. 18 - By Ellis: Extending congratulations to Alfredo Tamayo III of Houston on achieving the rank of Eagle Scout.

S.R. 19 - By Lyon: Paying tribute to Eddie Golder, Steve Baskin, and Steve Austin of the Van Zandt County Sheriff's Department for the courage and resoluteness they displayed in carrying out their assigned duties.

S.R. 20 - By Glasgow: Commending J. E. Pruitt of Hamilton County for his many years of service to the Democratic Party of Texas.

S.R. 21 - By Glasgow: Extending congratulations to the Santo High School Wildcats for their superb accomplishment in winning the Class 1A State basketball championship.

S.R. 22 - By Glasgow: Extending congratulations to Shawn Wharton on receiving the 1989 Steer Wrestling Rookie of the Year award.

S.R. 23 - By Uribe: Extending best wishes to Judge Darrell Hester as he assumes his new duties with the 5th Administrative Judicial Region.

ADJOURNMENT

On motion of Senator Harris, the Senate at 3:06 p.m. adjourned until 11:00 a.m. Wednesday, April 11, 1990.

THIRD DAY

(Wednesday, April 11, 1990)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Ellis, Glasgow, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Sims, Tejeda, Truan, Zaffirini.

Absent-excused: Green, Santiesteban, Uribe, Whitmire.

A quorum was announced present.

The Reverend Dr. Browning Ware, First Baptist Church of Austin, offered the invocation as follows:

Dear God and our Heavenly Father, we are here because we were called. Governors, courts, citizens, colleagues and others call and claim us daily. Help us to hear Your call within all these voices. Help us to be loyal and true to You and all worthy endeavors. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 9, 1990, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Whitmire was granted leave of absence for today on account of illness on motion of Senator Brooks.

Senator Uribe was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Green was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Santiesteban was granted leave of absence for today on account of important business on motion of Senator Brooks.